

1 AMENDMENT TO SENATE BILL 750

2 AMENDMENT NO. _____. Amend Senate Bill 750, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Halal Food Act.

7 Section 5. Definitions. As used in this Act:

8 "Advertise" means to engage in promotional activities
9 including, but not limited to, newspaper, radio, Internet and
10 electronic media, and television advertising; the
11 distribution of fliers and circulars; and the display of
12 window and interior signs.

13 "Food", "food product", or "food commodity" means any
14 food, food product, or food preparation, whether raw or
15 prepared for human consumption, and whether in a solid or
16 liquid state, including, but not limited to, any meat, meat
17 product or meat preparation; any milk, milk product or milk
18 preparation; and any beverage.

19 "Food commodity in package form" means a food commodity
20 put up or packaged in any manner in advance of sale in units
21 suitable for retail sale and which is not intended for
22 consumption at the point of manufacture.

1 "Halal" means prepared under and maintained in strict
2 compliance with the laws and customs of the Islamic religion
3 including but not limited to those laws and customs of
4 zabiha/zabeeha (slaughtered according to appropriate Islamic
5 code), and as expressed by reliable recognized Islamic
6 entities and scholars."

7 Section 10. Deception prohibited.

8 (a) It is a Class B misdemeanor for any person to make
9 any oral or written statement that directly or indirectly
10 tends to deceive or otherwise lead a reasonable individual to
11 believe that a non-halal food or food product is halal.

12 (b) The presence of any non-halal food or food product
13 in any place of business that advertises or represents itself
14 in any manner as selling, offering for sale, preparing, or
15 serving halal food or food products only, is presumptive
16 evidence that the person in possession offers the food or
17 food product for sale in violation of subsection (a).

18 (c) It shall be a complete defense to a prosecution
19 under subsection (a) that the defendant relied in good faith
20 upon the representations of an animals' farm, slaughterhouse,
21 manufacturer, processor, packer, or distributor, or any
22 person or organization which certifies or represents any food
23 or food product at issue to be halal or as having been
24 prepared under or sanctioned by Islamic religious
25 requirements.

26 Section 15. Other offenses concerning halal food. It is
27 a Class B misdemeanor for any person to:

28 (1) falsely represent any animal sold, grown, or
29 offered for sale to be grown in a halal way to become
30 food for human consumption;

31 (2) falsely represent any food sold, prepared,
32 served, or offered for sale to be halal;

1 (3) remove or destroy, or cause to be removed or
2 destroyed, the original means of identification affixed
3 to food commodities to indicate that the food commodities
4 are halal, except that this paragraph (3) may not be
5 construed to prevent the removal of the identification if
6 the commodity is offered for sale as non-halal;

7 (4) sell, dispose of, or have in his or her
8 possession for the purpose of resale as halal any food
9 commodity to which an animals' farm or slaughterhouse
10 mark, stamp, tag, brand, label, or other means of
11 identification has been fraudulently attached;

12 (5) label or identify a food commodity in package
13 form to be halal or possess such labels or means of
14 identification, unless he or she is the manufacturer or
15 packer of the food commodity in package form;

16 (6) label or identify an article of food not in
17 package form to be halal or possess such labels or other
18 means of identification, unless he or she is the
19 manufacturer of the article of food;

20 (7) falsely label any food commodity in package
21 form as halal by having or permitting to be inscribed on
22 it, in any language, the words "halal" or "helal", or any
23 other words or symbols, not limited to characters in
24 Arabic writing, which would tend to deceive or otherwise
25 lead a reasonable individual to believe that the
26 commodity is halal;

27 (8) sell, offer for sale, prepare, or serve in or
28 from the same place of business both unpackaged non-halal
29 food and unpackaged food he or she represents to be halal
30 unless he or she posts a window sign at the entrance of
31 his or her establishment which states in block letters at
32 least 4 inches in height: "Halal and Non-Halal Foods Sold
33 Here", or "Halal and Non-Halal Foods Served Here", or a
34 statement of similar import;

1 (9) sell or have in his or her possession for the
 2 purpose of resale as halal any food commodity not having
 3 affixed thereto the original animals' farm or
 4 slaughterhouse mark, stamp, tag, brand, label, or other
 5 means of identification employed to indicate that the
 6 food commodity is halal; or

7 (10) display for sale, in the same show window or
 8 other location on or in his or her place of business,
 9 both unpackaged food represented to be halal and
 10 unpackaged non-halal food unless he or she:

11 (A) displays over the halal and non-halal food
 12 signs that read, in clearly visible block letters,
 13 "halal food" and "non-halal food", respectively, or,
 14 as to the display of meat alone, "halal meat" and
 15 "non-halal meat", respectively;

16 (B) separates the halal food products from the
 17 non-halal food products by keeping the products in
 18 separate display cabinets, or by segregating halal
 19 items from non-halal items by use of clearly visible
 20 dividers; and

21 (C) slices or otherwise prepares the halal
 22 food products for sale with utensils used solely for
 23 halal food items.

24 Section 90. The Consumer Fraud and Deceptive Business
 25 Practices Act is amended by adding Section 2KK as follows:

26 (815 ILCS 505/2KK new)

27 Sec. 2KK. Halal food; disclosure.

28 (a) As used in this Section:

29 "Dealer" means any establishment that advertises,
 30 represents, or holds itself out as growing animals in a halal
 31 way or selling, preparing, or maintaining food as halal,
 32 including, but not limited to, manufacturers, animals' farms,

1 slaughterhouses, wholesalers, stores, restaurants, hotels,
2 catering facilities, butcher shops, summer camps, bakeries,
3 delicatessens, supermarkets, grocery stores, licensed health
4 care facilities, freezer dealers, and food plan companies.
5 These establishments may also sell, prepare or maintain food
6 not represented as halal.

7 "Director" means the Director of Agriculture.

8 "Food" means an animal grown to become food for human
9 consumption, a food, a food product, a food ingredient, a
10 dietary supplement, or a beverage.

11 "Halal" means prepared under and maintained in strict
12 compliance with the laws and customs of the Islamic religion
13 including but not limited to those laws and customs of
14 zabiha/zebeeha (slaughtered according to appropriate Islamic
15 codes), and as expressed by reliable recognized Islamic
16 entities and scholars."

17 (b) Any dealer who grows animals represented to be grown
18 in a halal way or who prepares, distributes, sells, or
19 exposes for sale any food represented to be halal shall
20 disclose the basis upon which those representations are made
21 by posting the information required by the Director, in
22 accordance with rules adopted by the Director, on a sign of a
23 type and size specified by the Director, in a conspicuous
24 place upon the premises at which the food is sold or exposed
25 for sale, as required by the Director.

26 (c) Any person subject to the requirements of subsection
27 (b) does not commit an unlawful practice if the person shows
28 by a preponderance of the evidence that the person relied in
29 good faith upon the representations of an animals' farm,
30 slaughterhouse, manufacturer, processor, packer, or
31 distributor of any food represented to be halal.

32 (d) Possession by a dealer of any animal grown to become
33 food for consumption or any food not in conformance with the
34 disclosure required by subsection (b) with respect to that

1 food is presumptive evidence that the person is in possession
2 of that food with the intent to sell.

3 (e) Any dealer who grows animals represented to be grown
4 in a halal way or who prepares, distributes, sells, or
5 exposes for sale any food represented to be halal shall
6 comply with all requirements of the Director, including, but
7 not limited to, recordkeeping, labeling and filing, in
8 accordance with rules adopted by the Director.

9 (f) Neither an animal represented to be grown in a halal
10 way to become food for human consumption, nor a food
11 commodity represented as halal, may be offered for sale by a
12 dealer until the dealer has registered documenting
13 information of the certifying Islamic entity specialized in
14 halal food or the supervising Muslim Inspector of Halal Food
15 with the Director.

16 (g) The Director shall adopt rules to carry out this
17 Section in accordance with the Illinois Administrative
18 Procedure Act.

19 (h) It is an unlawful practice under this Act to violate
20 this Section or the rules adopted by the Director to carry
21 out this Section."